

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTONIO CORTEZ BUCKLEY,

Plaintiff, No. CIV S-02-1451 DFL KJM P

vs.

EDWARD S. ALAMEIDA, Jr., et al.,

Defendants. ORDER

Plaintiff is a state prisoner proceeding pro se with an action for violation of civil rights under 42 U.S.C. § 1983.

On July 27, 2005, plaintiff filed a “request for judicial intervention” in which plaintiff makes no specific request for court action. Plaintiff’s request will be denied.

On August 3, 2005, plaintiff filed a request for writ of habeas corpus ad testificandum for plaintiff’s presence at trial. Plaintiff need not request a writ for his own presence at trial. The court will issue a writ at the appropriate time. Plaintiff also asks that he be housed at Folsom State Prison during trial. However, plaintiff has not shown any reason for the court to issue such an order. Finally, plaintiff asks that he be allowed to bring various religious and legal materials with him to trial. Plaintiff has not shown that the issuance of such an order is

////

1 necessary or that the court has the authority to issue such an order without a showing of
2 irreparable injury. Oakland Tribune, Inc. v. Chronicle Publishing Co. Inc., 762 F.2d 1374, 1376
3 (9th Cir. 1985).

4 Finally, on July 31, 2006, plaintiff filed another “motion for judicial
5 intervention”; on September 25, 2006, he filed additional arguments and exhibits in support of
6 this “motion.” Again, plaintiff fails to ask that the court make any specific orders. The court
7 construes plaintiff’s motion as seeking the return of “about 100 pounds” of legal material.
8 Plaintiff has not indicated why he needs immediate access to this material at this stage in
9 plaintiff’s case. Plaintiff’s request will be denied.

10 In accordance with the above, IT IS HEREBY ORDERED that:

11 1. Plaintiff’s July 27, 2005 “request for judicial intervention” is denied;
12 2. Plaintiff’s August 3, 2005 “application for writ of habeas corpus ad
13 testificandum” is denied; and
14 3. Plaintiff’s July 31, 2006 “motion for judicial intervention” is denied.

15 DATED: November 20, 2006.

16 
17 U.S. MAGISTRATE JUDGE

18 buck1451.31

19
20
21
22
23
24
25
26